

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

HUGH HAWKINS,)	
)	
Plaintiff,)	
)	8:07CV368
vs.)	
)	ORDER
KEITH FEILMEIER, et al.,)	
)	
Defendants.)	

This matter is before the court on the motion of John Heida for leave to withdraw as counsel for defendant, Keith Feilmeier. The court finds that the motion should be granted.

Mr. Feilmeier is advised that if substitute counsel does not enter a written appearance in this matter on or before **September 29, 2009**, Mr. Feilmeier will be deemed to be proceeding *pro se* as of that date, and will be required to file a notice of his current address and telephone number with the Clerk of the Court.

Mr. Feilmeier is further advised that he may retain substitute counsel at any time; however, during any time he is not represented by counsel, he will be required to personally comply with all orders of this court, the Federal Rules of Civil Procedure, and the Local Rules of Practice. Failure to comply with these requirements may result in the imposition of sanctions, including payment of costs and attorney's fees and/or an entry of default, pursuant to Rule 37 of the Federal Rules of Civil Procedure.

IT IS ORDERED that the Motion to Withdraw (Doc. 120) is granted, as follows:

1. Attorney John Heida is given leave to withdraw as counsel for defendant, Keith Feilmeier.
2. Defendant, Keith Feilmeier may retain substitute counsel at any time. If substitute counsel does not enter a written appearance¹ in this matter by **12:00 noon on**

¹In this court, an attorney makes an appearance in a case by (1) filing a written entry of appearance or signed pleading, or (2) personally appearing at a hearing or proceeding. An

September 29, 2009, then Mr. Feilmeier shall personally appear before the undersigned on Wednesday, **September 30, 2009 at 2:00 PM** in Courtroom No. 6, Second Floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska for the purpose of rescheduling the case to trial.

3. The Clerk of the Court shall mail copies of this Order, by regular and certified mail, return receipt requested, to defendant Keith Feilmeier at his last known address, i.e.,

20740 Timberlane Drive
Omaha, NE 68022

DATED September 11, 2009.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge

attorney who has orally entered an appearance must promptly file and serve a written appearance. A written appearance or pleading signed by an attorney must show the attorney's bar number, office address, telephone number, fax number, and e-mail address.